

ROTHMAN GORDON

Emil W. Herman
Louis B. Kushner
Mark L. Unatin
Thomas R. Solomich
Stephen H. Jordan
Frederick A. Polner
James R. Farley
Ronald G. Backer

Shelley W. Elovitz
Carl E. Harvison
June S. Schulberg
Martha A. Zatezalo
Sandra Reiter Kushner
Christopher Rulis
Mark S. Weis
H. Brian Peck

ATTORNEYS AT LAW
Third Floor, Grant Building
Pittsburgh, Pennsylvania 15219-2203
412 338-1100
412 281-7304 Telefax
412 471-1984 Real Estate Settlement Department
1120 Connecticut Avenue, N.W.
Suite 440
Washington, D.C. 20036-3902

DIRECT DIAL #

(412) 338-1111

March 17, 1994

Alan C. Blanco
Bernadette L. Puzzuole
Vito S. Bochicchio
Richard R. Morelli
Sally L. Burke
Cheryl A. Ignasiak
Jeffrey J. Russell
Lori E. Brenner

John R. Fielding
Patricia L. Haas
Clare M. Wuest

Of Counsel
Norman A. Groudine

RECEIVED

MAR 17 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

HAND DELIVERY

William F. Caton, Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

**RE: PROPOSED AMENDMENT TO FM TABLE OF ALLOTMENTS
ALLOCATION OF CHANNEL 281A TO JEFFERSON CITY, MO.
MM DOCKET NO. 94-17; RM-8437**

Dear Mr. Caton:

Transmitted herewith for filing on behalf of Richard L. Billings are an original and four copies of his Comments in Support of Notice of the referenced Proposed Rule Making.

If any further information is required, please contact the undersigned at the Pittsburgh office address shown above.

Very truly yours,


Frederick A. Polner

FAP/mdo

Enclosures

43994-5

No. of Copies rec'd 1044
List ABCDE

MAR 17 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYBEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

In the Matter of:)	
)	
Amendment of Section 73.202(b))	MM Docket No. 94-17
Table of Allotments)	RM-8437
FM Broadcast Station)	
(Jefferson City, Missouri))	

TO: Chief, Allocations Branch, Policy and Rules Division

COMMENTS IN SUPPORT OF NOTICE OF PROPOSED RULE MAKING

RICHARD L. BILLINGS ("Petitioner") by and through his undersigned counsel, FREDERICK A. POLNER, ESQUIRE, and ROTHMAN GORDON FOREMAN & GROUDINE, P.C., hereby respectfully submits his Comments in Support of Notice of Proposed Rule Making in the captioned proceeding. It is respectfully requested herein that, good cause having been shown therefore, the Chief, Allocations Branch of the Federal Communications Commission ("Commission") grant said Notice of Proposed Rule Making in the captioned matter, released March 7, 1994, hereafter the "NPRM"), and adopt the allotment plan proposed therein. In support whereof, it is averred that:

1. In his Petition for Rule Making in this proceeding (which Petition the Petitioner incorporates herein by reference), the

Petitioner requests the allocation of Channel 281A to Jefferson City, Missouri. The NPRM proposed adoption of this plan.

2. The amendment to the FM Table of Allotments requested by the Petitioner and proposed in the NPRM is as follows:

CHANNEL NO.		
<u>City</u>	<u>Present</u>	<u>Proposed</u>
Jefferson City,	261C2; 295C	261C2; 295C; 281A

3. As further set forth in the Petitioner's Petition for Rule Making, the allocation of Channel 281A to Jefferson City would serve the public interest by maximizing the efficient use of the electromagnetic spectrum, yielding an overall allotment plan superior under the Commission's allotment priorities to the presently existing allotment.

4. It is respectfully submitted, therefore, that grant of the NPRM and adoption of the allotment plan proposed therein is consistent with the public interest, convenience and necessity.

5. If Channel 281A is allocated to Jefferson City, Missouri, as requested herein, Petitioner reaffirms hereby his commitment to personally file or cause to be filed a construction permit application for this allocation, and promptly to construct

the new FM broadcast station in the event his said application for construction permit is granted.

WHEREFORE, good cause having been shown, Petitioner respectfully requests that the NPRM be granted; that the Commission's rules be amended to allocate Channel 281A to Jefferson City, Missouri.

Respectfully submitted,

RICHARD L. BILLINGS

By:


Frederick A. Polner

His Attorney

ROTHMAN GORDON FOREMAN
& GROUDINE, P.C.
Third Floor, Grant Building
Pittsburgh, PA 15219
(412) 338-1111

March 17, 1994